THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NOs.24366 and 24367 of 2005

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15.11.2005

Between:

Koppula Sarvareddy, S/o.Ramireddy

… Petitioner

AND

1. Mandal Revenue Officer, Saroor Nagar, R.R.District
and another

… Respondents

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COMMON ORDER:

The petitioners seek a similar relief in respect of the land situated at Mansoorabad village within the municipal limits of L.B.Nagar Municipality and therefore, it is expedient to dispose of both the writ petitions by this common order. The petitioners seek an appropriate declaration that the action of the respondents in trying to dispossess them in the guise of joint inspection and handing over the site to Municipality as illegal and arbitrary.

The Mandal Revenue Officer addressed a letter on 26.9.2005 to the Commissioner, L.B.Nagar Municipality informing that the land in survey Nos.16 and 17 admeasuring Acs.1.00, which is recorded as grama kantham village site in the revenue records has been encroached upon by some persons and that the Commissioner, L.B.Nagar Municipality must take necessary action to protect the valuable municipal land. Therefore, the present writ petition is filed.

After getting instructions in the matter, the learned Standing Counsel for L.B.Nagar Municipality submits that the writ petition is filed on mere apprehension and in the guise of conducting joint inspection, Municipality is not trying to dispossess the petitioners nor hand over the land to appropriate authorities. The same is recorded. With regard to the submission of the learned Standing Counsel that the petitioners are encroachers of municipal land, liberty is given to the municipality to follow the procedure contemplated under Section 194 of A.P. Municipalities Act, 1965 before evicting any of the encroachers of municipal land.

The writ petitions, with the above observations, are accordingly dismissed. There shall be no order as to costs.

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(**V.V.S.RAO,J**)

November 15, 2005.

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